

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**ANTHONY BREIDENBACH,**

**Plaintiff,**

**CASE NO. 01-40216**

**vs.**

**HON. PAUL V. GADOLA  
U.S. DISTRICT JUDGE**

**JOHN NICHOLS, et al,**

**HON. R. STEVEN WHALEN  
U.S. MAGISTRATE JUDGE**

**Defendant.**

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**ORDER**

On March 21, 2005, Plaintiff in this pro se civil rights case filed a motion to compel responses to interrogatories and requests to produce documents [Docket #68]. Defendant does not object to the discovery requests *per se*, but indicates that there was excusable delay in providing responses.<sup>1</sup> Given Defendant's stated acquiescence to the discovery requests, and the probability that said discovery has already been provided,

IT IS THEREFORE ORDERED that Plaintiff's motion to compel discovery [Docket #68] is GRANTED, and that if Defendant has not already produced the requested discovery, he shall do so within 14 days of the date of this Order.

IT IS FURTHER ORDERED that Plaintiff's request for sanctions is DENIED.

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<sup>1</sup> Plaintiff has also filed a motion for appointment of counsel [Docket #71], which is granted by separate order.

S/R. Steven Whalen  
R. STEVEN WHALEN  
UNITED STATES MAGISTRATE JUDGE

Dated: March 28, 2006

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on March 28, 2006.

S/G. Wilson  
Judicial Assistant